CLASSIFICATION OFFICE DECISION

Title of publication:	IMG_6353.JPG
Other known title(s):	Not stated
OFLC ref:	1900203.081
Medium:	Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	30 July 2019
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	30 July 2019

Summary of reasons for decision:

The publication is a digital image file of a photograph that has been taken of an image on a device, likely a laptop. The image features a 3D rendering of a male subject with the proportions of a child. The child character is nude and explicitly sexualised. Text around the image further contextualises it as a sexual image intended for those with prurient interests. This at least tends to promote and support the exploitation of children and young persons for sexual purposes under s 3(2)(a) of the Films, Videos and Publications Classification Act 1993. The publication is deemed objectionable. This is contrary to the right to freedom of expression that is set out under the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling under s 3(2) be banned, and reflects New Zealand society's concern to protect its young and vulnerable members from sexual exploitation.